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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
)	
)	
Plaintiff,)	
)	
vs.)	CASE NO. 21-CR-450-GKF
)	
)	
RAYMOND LEE GOLDESBERRY,)	
)	
)	
Defendant.)	

TRANSCRIPT OF PROCEEDINGS
JANUARY 24, 2023
BEFORE THE HONORABLE RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE
SENTENCING HEARING

APPEARANCES:

For the Plaintiff:	CHANTELLE DIAL U.S. Attorney's Office 110 W. 4th St., Ste 300 Tulsa, OK 74119
For the Defendant:	ANDREA BROWN Swab Stall Horton & Fu 2021 S. Lewis Ave., Ste 520 Tulsa, OK 74104
Guardian ad Litem:	SHENA BURGESS Smiling Smiling & Smiling 9175 S. Yale, Ste 300 Tulsa, OK 74137

PROCEEDINGS

JANUARY 24, 2023:

THE COURT: We're here in the case styled United States against Raymond Goldesberry, cause number 4:21-CR-450.

Would counsel make their appearances, please?

MS. DIAL: Chantelle Dial for the United States.

MS. BROWN: Andrea Brown for the defendant.

THE COURT: And Mr. Goldesberry is present; is that correct?

MS. BROWN: Yes, Your Honor.

THE COURT: Counsel, have you and Mr. Goldesberry had the opportunity to read, review, and discuss the presentence report?

MS. BROWN: Yes, Your Honor, and we submitted a few minor technical corrections, which were made in the final copy.

THE COURT: So with the final PSR, are there any objections to the factual statements?

MS. DIAL: No, Your Honor.

MS. BROWN: No, Your Honor.

THE COURT: There being no objections, I adopt the factual statements in the presentence report as the findings of fact in this proceeding.

On behalf of Mr. Goldesberry, are there any objections to the guideline calculations in the presentence report?

MS. BROWN: No, Your Honor, we understand the

1 mandatory statutory minimum.

2 THE COURT: Any on behalf of the U.S. Attorney?

3 MS. DIAL: No, Your Honor.

4 THE COURT: Before we go any further, I just wanted
5 to make sure, we have two items, one is restitution. Is there
6 a claim for restitution in this case?

7 MS. DIAL: There is not, Your Honor.

8 THE COURT: And the second is, are there any victims
9 who wish to be heard?

10 MS. DIAL: Yes, the victim is represented by her
11 guardian ad litem. And I believe there are a number of
12 statements that they would like to present.

13 THE COURT: We're going to proceed with victim
14 statements.

15 If you would step forward and introduce yourself, please.
16 Good afternoon.

17 MS. MICHELLE GOLDESBERRY: Good afternoon,
18 Your Honor. My name is Michelle Goldesberry. I'm Raymond's
19 wife and K.G.'s mother.

20 THE COURT: You may proceed.

21 MS. MICHELLE GOLDESBERRY: It's not possible to
22 convey the nightmare of how this case with the federal court
23 has affected our family, but what I can explain to you is how
24 this case and trial has traumatized K.G. far beyond what her
25 father accidentally did to her on a single occasion.

1 K.G. knows without a shadow of a doubt that her dad
2 thought I was the person in bed and what happened was not
3 intentionally done, but truly an accident. K.G. has never
4 changed her claims on this from day one. Nothing happened
5 between Raymond and K.G. before or after this incident. But
6 the events and the situations K.G. has been placed in, because
7 of the federal court, has caused trauma and PTSD to K.G., and
8 her counselors have said this as well.

9 A no contact order was put in place in October of 2021.
10 K.G. and Faith didn't even get a chance to say goodbye to their
11 dad at that time. The next time they would see their father
12 would be at the trial. At the end of the trial they couldn't
13 even say goodbye to him. I can't tell you how many times I
14 would have to talk K.G. of trying to hide in the back of my
15 vehicle when I went to visit Raymond because she missed her dad
16 so much and she just wanted to see him.

17 The prosecutors didn't even bother asking to meet with
18 K.G., or any of us for that matter, to find out what we had to
19 say. Later, Chantelle Dial apologized to me saying that she
20 was under the impression that we didn't want to talk with her.
21 I don't know who gave her that impression, but Ms. Dial never
22 contacted me personally to find out if that was true or not.

23 Raymond's attorney told me to expect a call in the next
24 two weeks when he was released in October of 2021 from the
25 prosecutor's office about scheduling a meeting, that they

1 wanted to talk with K.G. and Faith and I, but I never got a
2 call from their office at all. It wasn't until our subpoenas
3 were served weeks before the trial that we asked if we could
4 speak with the prosecutors. While the prosecutors met with
5 Meagan and Nathan Bartlett multiple times, they never attempted
6 to speak with K.G. who was the victim in this case. K.G. felt
7 like the prosecutors never listened to her, the victim.

8 During my testimony at the trial, both K.G. and I were
9 body shamed by Ms. Dial. I'm a 40-plus-year-old woman, I can
10 handle the body shaming, even though I shouldn't have to, but
11 my teenage daughter, who already has self-image and body
12 issues, was mortified by Ms. Dial's comparison of my body to
13 her body. K.G. later told me that she wanted to kill herself
14 in that moment because no one had ever talked about her body
15 like that, especially to a room full of strangers.

16 I warned K.G. beforehand that she probably shouldn't be in
17 the courtroom when I gave my testimony, that the attorneys
18 would be discussing some very private, intimate things that she
19 probably wouldn't want to hear, but K.G. being K.G., who knows
20 her own mind and can be stubborn, decided she wanted to be
21 there for my testimony.

22 The people who are prosecuting Raymond on behalf of the
23 victim K.G., were actually the people who victimized K.G. by
24 body shaming her in public and not even listening to her.
25 Before the accident that happened between K.G. and Raymond was

1 reported, K.G. was thriving. She lived in a home with two
2 loving parents, had friends, made straight A's. Life wasn't
3 perfect for her, but she had been actively been seeing a
4 counselor for grief and teenage issues. K.G. was a normal
5 teenager who lived in a loving, nurturing, and supportive home.

6 After the trial ended, K.G. lost it. When we left the
7 courthouse, she collapsed in the middle of the street and
8 refused to get up, saying she wanted to die. Obviously, we
9 were able to talk her into leaving, but since that day, every
10 day has been a struggle for K.G. to get out of bed. K.G. feels
11 like the weight of the world is on her shoulders.

12 After we moved out of our house of 16 years, the only home
13 that K.G. has ever known, because we had to sell our house to
14 pay for the attorney, K.G. had to get a job because we no
15 longer have my husband's income and cannot live off of my
16 income alone as well as my other daughter having to get a job.
17 She has since gone back to school and has started an accounting
18 program at Tulsa Technology Center while maintaining her job.
19 K.G. has expressed to me that she feels like this trial has
20 stolen what was left of her childhood and has forced her to
21 grow up faster than she should have to.

22 I'm quite certain that in all of your years as a judge,
23 you have experienced many sexual abuse cases. Does this case
24 sound like a typical sexual abuse case? No one ever denied
25 what happened in our case. The only issue was Raymond's

1 intent. From what I've been told after the trial, it sounded
2 like Raymond's character was attacked more than his intent was
3 questioned. And the judge that was over the trial, he'd even
4 said his character was not under question; it was his intent.

5 If his intent was to sexually abuse our daughter, why
6 didn't he continue to do so after the initial incident? Why
7 didn't he sexually abuse our other daughter? Which one would
8 logically think that, if the prosecutors were really seeking
9 justice, why didn't they call Faith, our other daughter, to
10 testify? I'm sure the jury would have wanted to hear what the
11 other daughter had to say, such as did he abuse her? Did Faith
12 ever see or hear anything inappropriate between her sister or
13 her father?

14 Other questions I have: Why was Nathan Bartlett allowed
15 to testify if his knowledge of what happened was hearsay to the
16 third degree? K.G. never spoke to Mr. Bartlett about the
17 incident, so anything Nathan said besides testifying that
18 Meagan told him her version of what K.G. said and his part in
19 reporting it, was his opinion of Raymond's character.

20 There were no character witnesses allowed on Raymond's
21 behalf according to the judge over that trial. So we don't
22 know why Mr. Bartlett was allowed to talk about Raymond's
23 character for the prosecution. And then why didn't the
24 prosecutors want testimony from the family counselor who had
25 professionally known and counseled our family for years?

1 Why didn't the prosecutors want to hear the testimony of
2 GiGi Stephens, the 80-plus-year-old family member, who lived
3 with our family for years, gave statements to CPS investigators
4 and spoke with DHS case workers? Why didn't the prosecutors
5 want to hear the testimony of my mother, Donna Taylor, or
6 K.G.'s uncle and aunt, Cody and Lori Goldesberry? K.G. stayed
7 with them at some point during the CPS/DHS involvement.

8 The prosecutors only wanted to hear from witnesses who had
9 nothing good to say about Raymond because of their own grudges
10 against him or who were already involved with the DHS
11 investigation which was based on Brenna Guzman's narrative and
12 after talking to Meagan, Brenna already decided Raymond was
13 guilty. So why was it so hard to logically conclude that what
14 happened was an accident? Because the prosecutors were very
15 skilled at convincing the jurors that Raymond's a monster.

16 I'm convinced that, if I never had to ask any of the above
17 questions, the jury would have had a wider range of different
18 perspectives of people who have actually been involved in our
19 family's lives for years, much closer than the Bartlett's
20 average two to four visits a year with us, and the jury
21 would've found Raymond not guilty.

22 I was appalled at listening to the closing statements from
23 the prosecutors. They kept saying K.G. was 11 years old at the
24 time, drilling it into the jurors' heads, when K.G. clearly
25 pointed to a picture of her, Faith, and I at the State Fair.

1 K.G. said, on the stand, that she knew it happened after the
2 picture was taken. K.G.'s birthday is September 14th, and the
3 State Fair is always running during the last week of September
4 through the first week of October. Anyone who has lived in
5 Tulsa more than a couple of years knows this. So based off of
6 K.G.'s testimony, the jury should have known that K.G. was 12
7 years old when the incident occurred.

8 When the jury found him guilty of sexual abuse with a
9 minor under 12 years old, the jury proved that they didn't
10 listen to K.G. at all. They believed the picture that the
11 prosecutors painted for them.

12 Throughout this entire case, no one has listened to K.G.,
13 not the CPS/DHS case workers, not the prosecutors, and not the
14 jury. K.G.'s guardian ad litem was appointed to her only after
15 the prosecutors realized K.G. spoke with Andrea Brown first
16 because Andrea was willing to listen to K.G., so they had to
17 fix their mistake. However, K.G.'s guardian ad litem has been
18 wonderful and I am grateful that K.G. had someone to guide her
19 through the trial and be with her when I was legally unable to
20 as a subpoenaed witness.

21 Shena Burgess continues to be a trusted resource for K.G.,
22 but it's a shame that Shena wasn't appointed to K.G. from the
23 beginning of the federal government's involvement. From day
24 one, K.G. has always said this was an accident and she knows it
25 wasn't intentional. The real injustice in this case is that

1 nobody listened to K.G., the victim, an innocent man went to
2 prison because nobody listened to her.

3 We are now pleading with you to right the wrongs that were
4 done. It's obvious that the prosecutors are not interested in
5 justice, they just want the conviction to build their
6 reputations, resumes, and climb the corporate ladder. Their
7 job is to prosecute cases, whether they believe the accused to
8 be guilty or not. I'd like to believe that, as a judge, you
9 want justice to be served and that your only motive behind
10 sentencing is doing what is fair.

11 Raymond was beyond exemplary when he was released on
12 probation. Chaise Rogers was his probation officer for the
13 majority of that time. Mr. Rogers had nothing but good things
14 to say about Raymond. Chaise even allowed Raymond to come home
15 to work --

16 THE COURT: I need you to slow down just a little
17 bit.

18 MS. MICHELLE GOLDESBERRY: I'm sorry, Your Honor.
19 Chaise even allowed Raymond to come home to work on repairing
20 and updating our house so we could sell it. During K.G.'s
21 Thanksgiving and winter breaks the girls went to stay with
22 their friends and family in order for Raymond to return home to
23 work on house repairs. Mr. Rogers spoke to each girl on the
24 phone and had them send their locations to him to verify
25 Raymond was complying with the no contact order. Chaise said

1 that this has never been done and Raymond was setting the
2 example and the foundation for other compliant probationers to
3 be able to do something like this in the future.

4 Raymond is also well respected by other inmates and staff
5 at the Cushing facility. His behavior has always been
6 exceptional and helpful. He was one -- he was on the COVID
7 cleaning crew for a while and very active in the church group.

8 As a former EMT, Raymond has also helped in medical
9 emergencies until the medical personnel could get over and take
10 over. It has always been in Raymond's nature to do the right
11 thing, even down to the littlest things. Several times when a
12 Walmart cashier missed scanning an item, he would say something
13 to them. Even if we were already home and he discovered that
14 an item wasn't scanned, he would go back to Walmart and pay for
15 it.

16 Raymond is the guy who pulls over to help people stranded
17 on the side of the highway. He even witnessed a man physically
18 assaulting a woman as he was driving past a QuikTrip gas
19 station and Raymond stopped to pull the man off of the battered
20 woman. It is not in Raymond's nature to harm anyone, much less
21 his own children.

22 We are begging you to show as much mercy as the law allows
23 you to. Our family has been destroyed and devastated, not by
24 the acts that occurred, we had already processed that in
25 counseling as a family, but destroyed and devastated by the

1 federal courts.

2 No one from the federal government even interviewed any of
3 our family to see if this case was worth trying. Just because
4 our case fell in the *McGirt* pile, it was an automatic trial.

5 How is this fair to K.G. who never wanted the law to be
6 involved because she knew there was no intent and it was only
7 an accident?

8 If you were to ask me what our family wants for
9 sentencing, it would be to dismiss the case. If you're not
10 able to dismiss the case, we would like you to grant downward
11 departure due to diminished capacity.

12 At the time of the incident, Raymond was in a
13 half-conscious state, not fully awake. The doctor that
14 diagnosed Raymond with sleep apnea has said that Raymond is
15 basically barely alive when he's sleeping, according to his
16 sleep study results. This alone should be evidence of
17 nonintent.

18 K.G. and the rest of our family wants Raymond released as
19 soon as possible. K.G. is already devastated at the thought of
20 her dad not being able to attend her high school graduation.
21 This is just the first of many milestones that K.G. is already
22 grieving for the loss of her father's presence in her life.
23 I pray that you sentence Raymond in accordance to the wishes of
24 his family, of K.G.

25 Thank you, Your Honor, for taking your time to hear me.

1 THE COURT: Thank you.

2 Introduce yourself if you would. If you're nervous, hang
3 on to both sides of the podium.

4 MS. FAITH GOLDESBERRY: Hello, Your Honor. My name
5 is Faith Goldesberry, I'm the eldest daughter of Raymond and
6 Michelle Goldesberry. If I'm being completely honest, I'm not
7 really sure where to begin. I've spent the past several months
8 so focused on coping with this situation that reflecting on it
9 is not exactly easy. It hasn't even taken a full three years
10 for my life to look nothing like it did before this insanity
11 began and for my family to be completely uprooted in more ways
12 than one all because of a simple accident.

13 I think the most frustrating part of this situation is
14 that all of this is completely unnecessary, but nobody who has
15 the ability to do anything about it has taken us seriously
16 enough to acknowledge and affirm that. It feels like everybody
17 whose opinion that could make a difference in the outcome is
18 too busy painting my younger sister as an alleged victim and my
19 father as an alleged criminal to feed their savior complex,
20 that they're either completely oblivious to the fact that they
21 themselves are causing more harm and trauma to an entire family
22 while also vilifying an innocent man that the incident that
23 this case pertains to ever caused my sister, or they simply
24 just don't care.

25 Nothing about this trial seemed to be conducted fairly,

1 considering that there simply wasn't enough evidence, solid
2 evidence to begin with, and the alleged victim herself
3 consistently made it clear that the incident was completely
4 accidental. She knows for a fact that there was no intent to
5 harm her in my father's actions and that there were no previous
6 or subsequent incidents; therefore, it is not abuse.

7 I know the prosecution has likely implied that my sister
8 was being coerced to say the things that she did. The problem
9 with that assumption is that if anyone were to spend any
10 significant time with my sister, they would understand that,
11 it's beyond a shadow of a doubt, completely impossible.

12 My younger sister is singularly the most headstrong person
13 I have ever met. If it weren't for the risk of making things
14 worse for my father and being held in contempt, she would have
15 told everyone in the courtroom to F off and boldly proclaim
16 that this entire thing is BS. And I completely agree.

17 I know from extensive personal experience that my sister
18 is incredibly direct and she doesn't care to sugarcoat even the
19 little things, and getting her to do something she doesn't want
20 to do in our day-to-day lives is virtually impossible. So even
21 if she didn't have her own lawyer/advocate to ensure that this
22 isn't happening, the idea of anyone coercing her to say
23 anything while on the stand is entirely laughable.

24 I want to be humble and polite about this, but if I do
25 that I'm not being honest, and I owe it to myself and to my

1 family to be candid about my feelings and the overall impact
2 this situation has had on me. The truth is, I am caught
3 somewhere between seething rage and crippling grief.

4 I was majorly betrayed by a girl I had literally known
5 since I was born, so I'm having to deal with the fallout of her
6 betrayal and anger that comes with it while also grieving a
7 friendship that I thought would last a lifetime. I'm angry at
8 how this has disrupted my life and separated my family, while
9 grieving the time and parts of my life that I can never get
10 back.

11 This situation has taken so much from my family and I,
12 some of which I'm not sure can be recovered from. In fact, the
13 stress of all this has -- the stress that all of this has
14 brought on has literally caused me to develop a medical
15 condition that will likely impact me for the rest of my life.

16 At 19 years old I was diagnosed with fibromyalgia. I am
17 now 21, and between the chronic pain and fatigue, I already
18 miss feeling young and I fear that it will prevent me from
19 enjoying being a young adult.

20 It actually became so excruciating and so invasive in my
21 life that I had to stop pursuing my degree in American Sign
22 Language studies and I was only one semester away from
23 graduating because with the flare-ups from stress I've been
24 subjected to cause my hands, joints, and tendons to be in so
25 much pain that I couldn't even hold my phone or scroll on the

1 screen. So trying to correctly complete my lessons and
2 assignments that involved complex and precise hand movements
3 became out of the question, not to mention all of this began
4 during the height of the pandemic and our case in May of 2020.

5 It's very difficult to not feel helpless in a situation
6 like this, especially whenever I wasn't even afforded the
7 opportunity to testify on my father's behalf because the
8 prosecution thought that it was more important to hear the
9 testimony of Nathan Bartlett, who had literally no involvement,
10 instead of the only other person in existence who has shared
11 the experience of being raised by the same parents in the same
12 household on a daily basis as my sister.

13 If the prosecution is generally concerned about truth and
14 justice, which is debatable, then I cannot understand how they
15 would not find it pertinent to ascertain that information for
16 the sake of allowing the jury to draw their own conclusions
17 about who my father is as a person and who he is as a parent by
18 hearing it from both of his daughters.

19 How can scales be balanced if someone is only concerned
20 with one side? I feel robbed of an opportunity to provide a
21 clear picture of my father to the jury that could have
22 potentially caused them to reconsider their decision,
23 especially since I was directly told that I was expected to
24 testify, and because of that, I was also under a subpoena that
25 didn't allow me to witness the majority of the trial as a

1 support for my family.

2 This case has been a blight on my family, and has been
3 taken so much further than it should have. It's been
4 incredibly damaging, mentally, emotionally, physically, and
5 financially. There really hasn't been any aspect of our lives
6 that has been left untouched by this -- under the circumstances
7 we have been forced into.

8 My mother, sister, and I have been struggling with such
9 excessive anxiety and depression that we often have difficulty
10 sleeping, we sometimes struggle to eat. And there are days
11 where even getting out of bed is a victory itself.

12 Despite my disability, I'm about to be starting at the
13 time my second job to relieve some of the pressure off of my
14 sister as she has to be work while attending school and tech,
15 as well as my mother who has had to switch to night shift, all
16 to supplement the financial void that the lack of my father's
17 presence creates.

18 Really though, all of the money in the world couldn't fill
19 the cavernous emotional void that my dad's absence has left us
20 with. Sorry.

21 I miss my dad, honestly more than I ever thought was
22 possible. I miss being the first to hug him when he gets home
23 from work. I miss blaring music in the car with him, and
24 getting excited when one of us wants to show the other a new
25 song. I miss the living room dance parties that we'll never

1 get to have in my childhood home again, because we had to sell
2 it to pay for attorney fees. I miss getting into
3 three-hour-plus debates with my dad, because even if we didn't
4 agree on an issue, I could challenge him as much as he
5 challenged me without worrying about being loved any less for a
6 difference in opinion or belief.

7 I miss seeing my parents dancing with each other and
8 getting a glimpse of what it might have been like to watch them
9 fall in love for the very first time with each other.

10 I miss having driving practice with my dad and how he
11 would be able to help calm my anxiety. It's held me back from
12 being able to get my driver's license that I still don't have
13 because of his absence, and the emotional state I've been in,
14 I'm in no position to learn how to drive.

15 Aside from sharing my personal perspective regarding my
16 father's case, the purpose for this letter is to ask that you
17 end this ongoing nightmare in any way possible.

18 I know for a fact that the prison systems are overcrowded
19 to begin with, and having an innocent man such as my father
20 taking up space there is less space for someone who has a
21 legitimate reason for being imprisoned.

22 The bottom line is, that my family needs my dad to come
23 home. I need my dad to come home. I may be an adult, but no
24 matter how old I get, I will always need my dad. I implore you
25 to reconsider this case and help reunite our family. I just

Terri Beeler, RMR-FCRR
U.S. District Court - NDOK

1 want to be able to have a glimmer of hope that there is still
2 at least some true justice left in our legal system.

3 Thank you for your time and consideration.

4 THE COURT: Thank you.

5 If you would introduce yourself, please.

6 K.G.: My name is K.G., and I am the victim of this
7 case. I'm sorry. It is very difficult to see my father
8 half his weight in chains being starved in prison.

9 I am the person this case is centered around. And I feel
10 like in many ways I've never been heard throughout this whole
11 process from DHS to trial.

12 I understand that you were not the judge present at my
13 father's trial, and because of that I have a great opportunity
14 for you to hear my side completely separated from the
15 accusations that were made. I have experienced many tragedies
16 in my life that have darkened the lens of my reality.

17 At 10 years old, I witnessed my great grandmother dying.
18 I would spend many summers absorbing her wisdom while both my
19 parents were working. In my eyes she was the perfect example
20 of being the glue that held my big family together. I loved
21 her so much and I could not bear the thought of her leaving the
22 world without my love surrounding her. Seeing her depart my
23 life sparked my depression. Seeing death and understanding
24 your own mortality at the ripe age of 10 truly darkened my
25 life.

1 Six months later, my grandpa died in the hospital after
2 being there for many days while we waited for a diagnosis. I
3 sat at his bedside trying to convince him to wake up every day
4 for a week, not realizing that he was already brain dead for
5 all of it. I watched them turn off the life support and then I
6 had to watch as he flatlined and left this world for eternity.
7 Having two beloved grandparents die so close together
8 solidified the undeniable truth of everyone I love will die.

9 After his funeral, I returned to my private Christian
10 school I was attending only to be greeted by bullying and
11 torment from my peers. Not long after, I remembered being
12 brought to the principal's office because my classmates had
13 written profanity in a Bible and blamed me. I sat there
14 scratching my arm until I bled because no one believed my
15 honesty, and the physical pain was far more tolerable than the
16 emotional pain. Little did I know not being believed would
17 become a reoccurring theme in my life. If my father goes to
18 prison, I feel like these tragedies will never stop.

19 The event that brought this case happened after the Tulsa
20 State Fair occurred after my 12th birthday. I was still the
21 age where I could occasionally have nightmares. This was not a
22 frequent occurrence. One night I had a bad dream and I went
23 into my parents' bedroom to crawl into bed for comfort. My mom
24 wasn't there because she was working. She was working at
25 Hillcrest as a labor and delivery nurse working three 12s.

1 My dad rolled over and placed his hand under my pants and
2 I abruptly awoke, and I said, "dad." He woke up confused and
3 disoriented. He asked, "What is it? What happened?" I
4 explained what just happened to him, and he still --

5 Can I have that, please?

6 MS. BURGESS: Yes, ma'am.

7 K.G.: Thank you.

8 -- he was still confused and he apologized profusely. He
9 then asked why I was there and where was my mom. "I
10 asked (sic) I don't know, I had a bad dream." He asked if I
11 was okay. And we talked about it and we discussed that if any
12 time I had a bad dream I would wake him up in the future, and
13 then returned to my room understanding it was a complete
14 accident. I didn't feel hurt because I knew he would never
15 intend to hurt me.

16 My father always had a problem where he would fall asleep
17 randomly and would even fall asleep while he was eating. He
18 was not aware of his surroundings whenever he was asleep and
19 would often sleep talk. He did not intend to do anything like
20 this. He never intended for anything like this to happen. DHS
21 investigated this event when it was reported. They did an
22 investigation, determined it was all a mistake and allowed my
23 family to be reunited. That was when it should have been the
24 end.

25 At the beginning of the prosecution, I had never heard

1 from anyone from the U.S. Attorney's Office. They never cared
2 about what I wanted, what I needed and what was best for me. I
3 never -- the prosecution should have been focused on what was
4 best for me, not just a conviction. The questions I was
5 subjected to were loaded and did not represent the whole story.
6 The prosecuting attorney never was concerned with what was best
7 for me.

8 I sat in the courtroom questioning -- during the
9 questioning of my mom by the prosecutor. The prosecutor,
10 having been in education, should have known the impact words on
11 an insecure adolescent's soul. During the trial, I felt body
12 shamed by the prosecution who presented photos of me around the
13 age of this incident and compared them to my mother's body --
14 compared me to my mother's body -- and highlighted my biggest
15 insecurities. I gouged my nails into my hand causing myself to
16 bleed so I wouldn't have to verbally respond to this onslaught
17 of the prosecutor's verbal abuse.

18 This case has impacted me so much to where I have had
19 frequent nightmares. My most recent one would be whenever --
20 probably a couple of weeks ago when my mom was at -- my dream
21 happened -- I'm so sorry. It is a lot.

22 My dream began with my mom and I at a taco truck for
23 dinner, then all of a sudden we were surrounded by FBI agents
24 who played a recording of an executioner reciting my dad's
25 charges followed by a gunshot. The next thing that I knew, the

1 FBI said, "We thought you should know, your dad is dead." This
2 is just one of the many examples of the nightmares that have
3 plagued me because of this trial.

4 This emotional toll that the case is having on me is too
5 much for me to bear. And these nightmares plague my soul to
6 the point where I have the hardest time sleeping and will often
7 miss school multiple times.

8 Before all this happened, I had a family. We cooked
9 together, we went to parks, we had family game night. And now
10 I'm living in an apartment with two individuals that are so
11 busy trying to make sure that we have rent that costs more than
12 our old house payment, and we don't even have time to be a
13 family. We don't have time to sit down and have a meal and
14 just simply be a family. I miss having my family as a whole.

15 This case has set me back immensely to the point where I
16 try my best in my studies, but it seems to never be enough
17 because I am constantly getting updates about what's going to
18 happen and how everything is changing so often. And I feel
19 like I've never been able to truly live past this trial. I've
20 always been worried about what's next, how long is this going
21 to continue? When are we ever going to get to have peace?

22 I miss being able to be at home, to be out in my dad's
23 shop helping him refix -- reinstall parts in the car, in cars
24 that he fixes up and helping us cook dinner, and games, and
25 just being a family.

1 Having to sell our house as we were taking out all of our
2 belongings, I saw them rip every -- every carpet, everything
3 that makes our house feel like a home. I took my first steps
4 there and I had to watch as it just got destroyed.

5 My father helped fix that house and keep up with it, and I
6 saw all of his efforts being torn down. The four walls that
7 surround me now, bring me no love, comfort, or familiarity,
8 only a generic shelter that feels like a simple unit with a
9 random number on the side of it.

10 After selling our home we lived -- after selling the home
11 we lived in for 16 years we could only -- we only had a small
12 amount of money left over to cover the moving costs and we
13 still couldn't pay for it, forcing us to have to borrow money
14 from family to survive.

15 I had to start working to provide income for my family to
16 pay for basic needs. I have lost my childhood having to go
17 through this whole ordeal that should have never been brought
18 to court.

19 I lost my car, my future graduation gift that filled me
20 with so much joy and anticipation. The car that my dad bought
21 for me and would teach me to drive in, the car that he helped
22 fix and make it to my liking. If I lose him, he won't be able
23 to bring me flowers when I graduate, walk me down the aisle
24 when I get married, build a crib for my children, see me grow
25 up into an amazing woman that my parents have helped raise.

1 And the idea of him potentially dying alone in prison truly
2 just breaks me.

3 Since the trial I have felt no justice, none. I feel like
4 I'm starting to lose hope of anything that went right in my
5 life because I have been met with tragedy after tragedy. And
6 during the prosecution, whenever I was up on the stand, they
7 were using the fact that I self-harm because I have gone
8 through many horrible things before this and that's a way that
9 I just -- I was able to shut down the pain inside to just feel
10 something that is simple. I am no stranger to pain, I had a
11 concussion when I was little, and I have dealt with a lot of
12 horrible migraines and that's the one thing that brings me back
13 to reality and it's becomes a bad habit because I will get so
14 caught up in the memories of being in this court where I am
15 literally terrified to be in, because as soon as I heard that
16 guilty verdict I sat -- I just sunk into the pews and I heard
17 the handcuffs click and I was never able to say goodbye to my
18 dad. I haven't been able to hug him in over a year.

19 THE COURT: Thank you.

20 K.G.: We haven't even been able to hang a family
21 photo because it hurts so much. Thank you. If there's
22 anything you can do, please. Thank you.

23 THE COURT: Thank you.

24 Anything further?

25 MS. DIAL: No, Your Honor.

1 THE COURT: Well, just so it's clear, the only -- I
2 was not the trial judge, there is no motion to dismiss pending
3 before me. The only issue that I've been asked to do is to
4 impose sentence after a jury verdict. There are forums, we'll
5 talk about at the very end for you to go to another court and
6 explain why this was a miscarriage of justice, and they will
7 reset determination, but the issue today is allocution.

8 If there's anything that you would like to say before
9 sentence is imposed, now is the time.

10 THE DEFENDANT: Yes.

11 THE COURT: Just stay at counsel table, if you would.

12 THE DEFENDANT: Can you hear me okay?

13 THE COURT: Yes.

14 THE DEFENDANT: Your Honor, I'd like to thank you for
15 giving me the opportunity to speak. I realize that not
16 testifying at my trial was a mistake considering that the jury
17 was not able to hear from me directly. With that said, I would
18 like to state on the record that, even though I was convicted
19 by the jury, I maintain my innocence with regard to the intent
20 of purposely touching my daughter in the manner described by
21 the prosecution. I never have nor would I have ever
22 intentionally do what I have been convicted of. My actions and
23 intentions have always been, and was in this situation, for my
24 loving wife of over 22 years.

25 I had no knowledge that my wife had been called in to work

1 that morning or that my daughter had laid down in my wife's
2 side of the bed in her absence. When I went to sleep, my wife
3 was next to me. When I reached over, which is what I have done
4 many times in 22 years, I had no idea that my daughter would be
5 there.

6 I do immensely regret that there was an action that took
7 place, but I assure you my intention was for my wife and not my
8 child.

9 Your Honor, I've always been a loving and caring father.
10 I hope that you have gleaned that more from the letters that
11 were written on my behalf. I truly feel that an injustice has
12 taken place considering that the trial judge said the crime
13 wasn't the intent.

14 I'm sorry. I don't believe that intent in this case was
15 proven, especially considering that it appears that my daughter
16 wasn't truly hurt. And now my family and I have been separated
17 and we have been emotionally, mentally, and financially
18 damaged.

19 For my family and I. I am thankful that my wife and my
20 daughters love and support me because they know the truth and
21 they know me. I continually encourage them to stay strong in
22 their faith because I believe that God is greater than any
23 situation we face, and I put my trust and faith in him.

24 And even though today seems dark, and most people in my
25 situation would be furious at my accusers, I pray for them

1 every day and I ask that God would forgive them for what they
2 have inflicted on me and my family, what they meant for evil
3 though I believe God will use for good.

4 I will be appealing this verdict and when it's overturned,
5 my God will receive the glory.

6 I'd like to ask all my friends and family to please
7 continue praying for me, my wife, and my children.

8 To my wife and my daughters -- my wife Michelle and my
9 daughters Faith and K.G. I love you so much, and even though
10 we are apart, please always know that I will be with you and I
11 won't stop fighting to come home. Lord willing, the time we
12 are apart won't be too long. I love you all.

13 Thank you, Your Honor.

14 THE COURT: Thank you, sir.

15 Counsel.

16 MS. BROWN: Your Honor, I'm confident that Your Honor
17 has received the sentencing memorandum, and my client's humble
18 request would be, to the extent that this court has the
19 authority to request Texarkana or Seagoville for purposes of
20 his incarceration pending appeal.

21 THE COURT: I will certainly make those
22 recommendations.

23 Anything on behalf of the United States?

24 MS. DIAL: No, Your Honor.

25 THE COURT: Well, I am required today to enter the

1 mandatory minimum sentence as recognized by the defendant's
2 memorandum of 360 months. And pursuant to the Sentencing
3 Reform Act of 1984 and the provisions of 18 U.S.C. 3553(a),
4 Raymond Goldesberry is committed to the custody of the Bureau
5 of Prisons for 360 months.

6 Upon your release, you are placed on supervised release
7 for ten years. Upon your release, you are to report in person
8 to the probation office in the district to which you're
9 released within 72 hours.

10 While on supervised release, you're to comply with the
11 standard and mandatory conditions adopted by this court and the
12 specific special sex offender condition.

13 I'm going to suspend the mandatory drug testing
14 requirements, although they may administer the typical tests as
15 necessary under the standard conditions.

16 There is a fine. You can't pay a fine, so no fine will be
17 imposed.

18 It is further ordered you are to pay to the United States
19 a special assessment of \$100 which is due today.

20 I understand there are many objections to the trial and
21 how it was conducted. But as to the sentencing hearing, are
22 there any objections to the court's manner in which the
23 sentence was pronounced or the manner in which the hearing was
24 conducted?

25 MS. DIAL: No, Your Honor.

1 MS. BROWN: No, Your Honor. We'd simply ask for the
2 credit that Mr. Goldesberry has received be applied towards his
3 sentence.

4 THE COURT: I certainly agree that that should
5 happen. Sentence will be imposed as stated. You need to
6 appeal within 14 days. Your attorney will file a notice for
7 you. If you can't afford the appeal, you can get a waiver upon
8 an application of a waiver. And the original indictment and
9 Count Two of the superseding information will be dismissed
10 consistent with the case.

11 MS. BROWN: Yes. Thank you, Your Honor.

12 THE COURT: Thank you-all. Good luck to you, sir.

13 (PROCEEDINGS CONCLUDED.)

14 REPORTER'S CERTIFICATE

15 I CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT
16 TRANSCRIPT OF THE PROCEEDINGS IN THE ABOVE-ENTITLED
17 MATTER.

18
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